

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I HEREBY DECLARE:

THAT my residence, post office address, and citizenship are as stated below next to my name;

THAT I believe I am the original, first, and sole inventor (if only one inventor is named below) or an original, first, and joint inventor (if plural inventors are named below or in an attached Declaration) of the subject matter which is claimed and for which a patent is sought on the invention entitled

FUEL CELL SYSTEM

the specification of which (check one)

_____ is attached hereto.

 X Was filed on December 3, 2003 as United States Application Number
or PCT International Application Number PCT / JP2003 / 015455 and
was amended on _____ (if applicable).

THAT I do not know and do not believe that the same invention was ever known or used by others in the United States of America, or was patented or described in any printed publication in any country, before I (we) invented it;

THAT I do not know and do not believe that the same invention was patented or described in any printed publication in any country, or in public use or on sale in the United States of America, for more than one year prior to the filing date of this United States application;

THAT I do not know and do not believe that the same invention was first patented or made the subject of an inventor's certificate that issued in any country foreign to the United States of America before the filing date of this United States application if the foreign application was filed by me (us), or by my (our) legal representatives or assigns, more than twelve months (six months for design patents) prior to the filing date of this United States application;

THAT I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above;

THAT I believe that the above-identified specification contains a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention, and sets forth the best mode contemplated by me of carrying out the invention; and

THAT I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I HEREBY CLAIM foreign priority benefits under Title 35, United States Code §119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number	Country	Foreign Filing Date	Priority Claimed?	Certified Copy Attached?
P2002 - 351274	Japan	December 3, 2002	Yes	No

I HEREBY CLAIM the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

U.S. Provisional Application Number	Filing Date

I HEREBY CLAIM the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Application Number	Parent Filing Date	Parent Patent Number

I HEREBY APPOINT the following registered attorneys and agents of the law firm of FOLEY & LARDNER to have full power to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent, and to transact all business in the United States Patent and Trademark Office connected therewith:

GEORGE C. BECK	Reg. No. 38,072
STEPHEN A. BENT	Reg. No. 29,768
DAVID A. BLUMENTHAL	Reg. No. 26,257
BETH A. BURROUS	Reg. No. 35,087
ALAN I. CANTOR	Reg. No. 28,163
WILLIAM T. ELLIS	Reg. No. 26,874
JOHN J. FELDHAUS	Reg. No. 28,822
MICHAEL D. KAMINSKI	Reg. No. 32,904
KENNETH E. KROSIN	Reg. No. 25,735
JOHNNY A. KUMAR	Reg. No. 34,649
JACK LAHR	Reg. No. 19,621
GLENN LAW	Reg. No. 34,371
PETER G. MACK	Reg. No. 26,001
STEPHEN B. MAEBIUS	Reg. No. 35,264
BRIAN J. MC NAMARA	Reg. No. 32,789
SYBIL MELOY	Reg. No. 22,749
RICHARD C. PEET	Reg. No. 35,792
GEORGE E. QUILLIN	Reg. No. 32,792

ANDREW E. RAWLINS
 BERNHARD D. SAXE
 CHARLES F. SCHILL
 RICHARD L. SCHWAAB
 MICHELE M. SIMKIN
 HAROLD C. WEGNER

Reg. No. 34,702
 Reg. No. 28,665
 Reg. No. 27,590
 Reg. No. 25,479
 Reg. No. 34,717
 Reg. No. 25,258

and I request that all correspondence be directed to:

RICHARD L. SCHWAAB
 FOLEY & LARDNER
 Washington Harbour
 3000 K Street, N.W., Suite 500
 Washington, D.C. 20007-5109

Telephone: (202) 672-5300
 Facsimile: (202) 672-5399

I UNDERSTAND AND AGREE THAT the foregoing attorneys and agents appointed by me to prosecute this application do not personally represent me or my legal interests, but instead represent the interests of the legal owner(s) of the invention described in this application.

I FURTHER DECLARE THAT all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Name of first inventor	<u>Tetsuya KAMIHARA</u>	<div style="font-size: 2em;">/</div> <div style="font-size: 1.5em;">00</div>
Residence	<u>Yokohama-shi, Kanagawa-ken, Japan</u>	
Citizenship	<u>Japan</u>	
Post Office Address	<u>39-5-202, Miyamoto-cho 2-chome, Minami-ku, Yokohama-shi, Kanagawa 232-0016 Japan</u>	
Inventor's signature	<u>Tetsuya Kamihara</u>	
Date	<u>7/13/2004</u>	
Name of second inventor	_____	
Residence	_____	
Citizenship	_____	
Post Office Address	_____	
Inventor's signature	_____	
Date	_____	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Tetsuya KAMIHARA
Title: FUEL CELL SYSTEM
Appl. No.: Unassigned
Filing Date: 12/29/2004
Examiner: Unassigned
Art Unit: Unassigned

STATEMENT UNDER 37 C.F.R. §1.32(c)(3)
DESIGNATING NO MORE THAN TEN
PATENT PRACTITIONERS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. §1.32(c)(3), the following ten or fewer patent practitioners named in the Power of Attorney should be recognized by the Office as being of record in the above identified application or patent.

Attorney Name
Glenn Law
Richard L. Schwaab

Registration Number

34,371

25,479

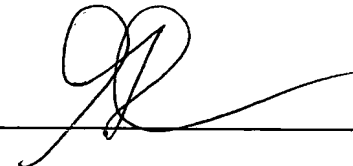
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Respectfully submitted,

Date December 29, 2004

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5300
Facsimile: (202) 672-5399

By



Glenn Law
Attorney for Applicant
Registration No. 34,371